

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

PATRICIA BURKETT, Administratrix of the
Estate of JEREMY BURKETT, deceased

Plaintiff,

v

TIMOTHY EUGENE McCRAY and
S.E. LUMBER COMPANY

Defendants.

TIMOTHY EUGENE McCray

Third-Party Plaintiff.

V.

SOUTHERN GENERAL INSURANCE
COMPANY.

Third-Party Defendant.

1: 06-CV-00775-DRB

MOTION TO STRIKE

COMES NOW the Third-Party Defendant, Southern General Insurance Company and moves to strike Consent Motion and Agreement for Dismissal of Uninsured Motorist Insurance Carrier without Prejudice filed in this Court on November 30, 2006 and identified as Document 31. As grounds therefore, Southern General Insurance Company states that the Third-Party Plaintiff and the Third-Party

Defendant are simultaneous filing herewith a Motion to Dismissal with Prejudice in the stead of and to replace the previously filed Consent Motion and Agreement for Dismissal of Uninsured Motorist Insurance Carrier without Prejudice.

Respectfully submitted,

s/Cindy L. Self

Cindy L. Self (SEL035)

Attorney for Southern General Ins. Co.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2006 I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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